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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,278	08/30/2001	Albert Gouyet	NETS0074	1879
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GLENN PATENT GROUP 3475 EDISON WAY, SUITE L MENLO PARK, CA 94025			EXAMINER WU, RUTAO	
			ART UNIT	PAPER NUMBER
			3639	
DATE MAILED: 01/30/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/944,278

Applicant(s)

GOUYET ET AL.

Examiner

Rutao Wu

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. In response filed on December 06, 2005, the applicant amended claims 1-3, 7, 10-12, 14, 16, 21, 22, 24, 27-29, 33, 36-38, 40, 42, 47, 48, 50, 53 and 56. Applicant added claims 57-60. No claims are cancelled.

Response to Arguments

2. Applicant's arguments, see page 1, filed December 06, 2005, with respect to claims 14, 22, 40, 48 and 56 have been fully considered and are persuasive. The **35 USC § 112** rejection has been withdrawn.

3. Applicant's arguments filed on December 06, 2005 have been fully considered and entered but they are not persuasive.

In response to applicants' argument to claims 1 and 27, applicant claims that Tagawa does not disclose "*a feed system, internal and external partners, a categorized database, a customized database, or storing retrieved content in a database.*" The examiner respectively disagrees with the argument. The applicant did not provide specific definition for "*internal and external partners*" in the specifications; therefore, the examiner used the definition accepted by one skilled in the arts of travel reservation systems as bases when reading the application. Internal and external partners in travel reservation mean any number of companies or services relating to traveling that is being provided. For example, airlines, car rental companies, etc, are all internal or

external partners to a travel reservation system because the companies partner together to sell their services.

Tagawa discloses in Fig 2c a block diagram illustrating the components of the regional reservation center and outside vendors supplying information on services and products available to a user (col 10: lines 17-20). Therefore, the outside vendors must be partners if they are providing information to the regional reservation center. Since there are numerous regional reservation centers, companies providing local visitor attraction information could be internal partners with each region reservation center, and airline, lodging and car could be external partners because they provide their information to multiple reservation centers. Tagawa also discloses File server 112 controls hardware 102, agents terminals 110, and the accounting system 114, and controls the storing, updating and fetching of information in local visitor attraction inventory 120, airline inventory 122, lodging inventory 124, car inventory 126, and tour inventory 128 in the memory. File server 112 obtains the information of these five categories of inventory from outside vendors and update such inventory periodically. (col 10: lines 24-31) Here Tagawa shows a feed system (outside vendors send information to file server 112), a categorized and customized database, (local visitor attraction inventory, airline inventory, etc), storing retrieved content in a database.

In response to applicants' argument to claims 2 and 28, see response supra.

In response to applicants' argument to claims 3 and 29, Tagawa does teach retrieved content is stored into the database, see supra. Applicants claim that Tagawa does not teach "*customizing the obtained data into a format readable by a search*

engine," the examiner disagrees. Tagawa discloses a travel reservation system that receives input data and searching the inventory database for said desired services or products available on said dates and providing to the user information and/or choice of only services or products available for said date or dates. (col 4: lines 10-14) Therefore, Tagawa's invention must have data in a format that is readable by a search engine because the invention provides the ability to search for related information.

In response to applicants' argument to claims 19 and 45, applicants claim that Tagawa does not teach "*means for determining said home location when not provided by an end user.*" The applicants go further to say that "*use of a zip code in a user profile to guess the home airport of the end user.*" However, claims 19 and 45 only states "*means for determining said home location when not provided by an end user*", limitations presented by the specifications provide no patentable weight unless disclosed in the claims. Tagawa does provide the means for determining said home location when not provided by an end user. Tagawa invention discloses numerous regional reservations centers and numerous kiosks, (Fig 2a) and each set of kiosks located within the geographical region of a regional reservation center defining the set of kiosks for such a center. (col 5: lines 63-67) Since the kiosks are spread out within a region, the regional reservations center would be able to guess the home airport of an end user just by where the user is using the kiosk.

In response to applicants' argument to claims 4, 5, 30, 31, 6, 7, 32, 33 stand rejected from previous office action, herein provided below for reference.

In response to applicants' argument to claims 15-17, 41, and 42, the applicants claim that the prior art from www.travelocity.com does not predate the applicants' filing date. The examiner respectfully disagrees. The examiner provided the applicants a print out of Travelocity website dated November 16, 1999 showing the functioning webpage providing travel scheduling and reservation services which indeed is before the applicants' filing date of August 30, 2001. The webpage is obtained from Internet Archive at www.archive.org. If the applicants are not familiar with Internet Archive, the examiner respectfully advise the applicants to visit the website. The Internet Archive Wayback Machine is a service that allows people to visit archived versions of Web sites. Visitors to the Wayback Machine can type in a URL, select a date range, and then begin surfing on an archived version of the Web. A print out of all the dates archived by the Internet Archive Wayback Machine of www.travelocity.com is provided to the applicants for reference. As one can see, www.travelocity.com have been archived all the way back to October 17, 1996.

In response to new claims 57-60.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 57-60 are rejected under 35 U.S.C. 102(b) as being anticipated by 5,732,398 to Tagawa.

Referring to claims 57 and 59:

Wherein said request for travel information comprises:

An interest. (Fig 3)

Referring to claims 58 and 60:

Wherein possible destinations are presented based upon said interest is requested. (col 11: lines 1-16)

6. Prior office action is provided below for reference, which also incorporates changes made by applicants' amendments.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 8-14, 18-29, 34-40, 44-52 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat No. 5,732,398 to Tagawa.

Referring to claims 1 and 27:

A system for providing travel information to an end user in an intelligent way using a search result, said system comprising:

a server for receiving a request for travel information and for processing said request into a query; (col 4: lines 6-9, 23-24)

a database coupled to a feed retrieval system, wherein said feed retrieval system retrieves content from a plurality of internal and external partners.(col 10: lines 17-20, 24-31, Fig 2c)

Wherein said content is categorized, customized, and stored in said database,
(col 10: lines 24-31)

Wherein said database is used during receiving and processing said query, and in returning said search result to said server, wherein said search result comprises said travel information in a concise and consistent fashion, thereby providing ease of use for an end user. (col 4: lines 12-14, 25-28; col 5: lines 59-63; col 8: lines 55-60)

Referring to claims 2 and 28:

The system of Claim 1, wherein said feed retrieval system organizes said content for efficient storage by said database for easy retrieval. (col 10: lines 24-31)

Referring to claims 3 and 29:

The system of Claim 2, said feed retrieval system further comprising:
a rules-based engine for said obtaining said content from said internal and external partners and storing said content into said database in a format used by a search engine. (col 4: lines 10-14, 24-27)

Referring to claims 8 and 34:

The system of Claim 1, further comprising:
lookup table for determining matches to facilitate processing said request into said query. (col 4: lines 11-14, 24-27)

Referring to claims 9 and 35:

The system of Claim 1, further comprising:
a search mechanism for determining a context of said request, thereby
anticipating an end user's intention. (col 4: lines 11-14, 24-27)

Referring to claims 10 and 36:

The system of Claim 9, said search mechanism further comprising:
a variety of context determining categories; and (col 4: lines 23-25, 36-38, 64-66;
col 5: lines 22-33)

means for determining said a context determining category. (col 7: lines 14-17)

Referring to claims 11 and 37:

The system of Claim 10, wherein said variety of context determining categories
comprises:

A destination. (col 4: lines 24-27, 42-44)

Referring to claims 12 and 38:

The system of Claim 1, said search result comprising the following travel
categories:

Destination guides; canned keywords; local events; low air fares; hot deals; and
lodging. (col 10: lines 60-64)

Referring to claims 13 and 39:

The system of Claim 1, wherein said travel information comprises static and/or
dynamic information. (col 10: lines 24-31)

Referring to claims 14 and 40:

The system of Claim 13, wherein said dynamic information comprises any of:

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Local events; low air fares; a hot deal and; a fare watch. (col 10: line 25-29)

Referring to claims 18 and 44:

The system of Claim 1, further comprising a local escapes feature, wherein said local escapes features uses a home location to provide particular travel information. (col 4: lines 33-35, 42-45)

Referring to claims 19 and 45:

The system of Claim 18, further comprising:

Means for determining said home location when not provided by an end user.

(col 11: lines 1-4)

Referring to claims 20 and 46:

The system of Claim 18, wherein said home location is selected from a list of predetermined home locations. (col 8: lines 55-60; col 9: lines 10-15)

Referring to claims 21 and 47:

The system of Claim 20, wherein said list of predetermined home locations comprises: at least fifty predetermined cities or home airports. (col 9: lines 10-15)

Referring to claims 22 and 48:

The system of Claim 18, wherein said provided travel information comprises any of: a fare watch; weekend e-fares; local events; hot deals; links to other cities; and maps. (col 10: lines 61-64)

Referring to claims 23 and 49:

The system of Claim 18, further comprising:

Means for filtering out travel information not relevant to said home location. (col 4: lines 32-35, 42-45; col 11: lines 1-4)

Referring to claims 24 and 50:

The system of Claim 18, further comprising:

A multi-hierarchical schema for organizing geographical regions to facilitate determining relevant travel information, wherein content in said regions overlap. (col 8: lines 51-67; col 9: 1-33)

Referring to claims 25 and 51:

The system of Claim 24, wherein geographical regions comprise urban regions. (col 9: lines 1-9)

Referring to claims 26 and 52:

The system of Claim 25, wherein said urban regions comprise content from other nearby and relevant cities associated with said home location. (col 9: lines 25-32)

Referring to claims 57 and 59:

Wherein said request for travel information comprises:

An interest. (Fig 3)

Referring to claims 58 and 60:

Wherein possible destinations are presented based upon said interest is requested. (col 11: lines 1-16)

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3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, 5, 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tagawa in view of U.S. Pat No. 6,457,009 to Bollay.

Tagawa discloses in his invention a travel scheduling system that allows users to search for relevant travel information based on numerous categories. Tagawa does not disclose custom coded forms supplied to partners for facilitating obtaining travel information. Tagawa also does not disclose that the forms are in XML format.

Bollay discloses in his invention that a generic HTML form is filled in, and then translation is done on the form from a uniform field name to an actual name used by a corresponding remote database. (col 2: lines 44-49)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Tagawa's invention to include custom generated forms that can be supplied to partners to facilitate information gathering. One would be motivated to perform such modification to allow a standardized form being used by the partners to facilitate obtaining travel information.

Regarding claims 5 and 31. Bollay does not explicitly state that the forms can also be coded in standard languages other than HTML, e.g. XML. The examiner takes official notice that forms coded in XML format are not a new feature. XML is another

standardized language similar to HTML. Example can be found in U.S. Pat No. 6,697,967 to Robertson (col 2: lines 20-24)

5. Claims 6, 7, 32 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tagawa in view of U.S. Pat No. 6,601,059 to Fries.

Tagawa discloses in his invention a travel scheduling system that allows users to search for relevant travel information based on numerous categories. Tagawa does not disclose a spell check service to provide correct spelling of an intended word, and the means of providing suggestions on alternate spelling or relevant phrases, or means for setting ambiguity among words or phrases having similar parts.

Fries discloses in his invention a method of providing a visual cue to the user to indicate that the search query includes a misspelled word. The method also includes a step of providing lists of possible spellings for the misspelled words and allowing the user to select one of the possible spellings from the list. The method then replaces the misspelled word with the selected spelling to produce modified test. (col 1: lines 54-63)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Tagawa's invention to include the spell checker that will notify the misspelled word, and then suggest alternatives. One would be motivated to perform such modification to assist the end user in providing correct spelling of an intended word so the search query with the word or phrase can be more effective.

6. Claims 15-17 and 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tagawa in view of www.travelocity.com.

Tagawa discloses in his invention a travel scheduling system that allows users to search for relevant travel information based on numerous categories. Tagawa does not disclose that the travel information is presented in one web page; that the web page comprises links for linking more detailed information; and that the more detail information comprises information reflecting and associated with one or more than one of said context determining categories.

www.travelocity.com discloses a web server with travel information presented in one web page. The web page also includes links to more detail information, and the information reflects one or more than one of the context determining categories.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Tagawa's invention to include the web page from www.travelocity.com that has links for more detailed information reflecting the context determining categories. One would be motivated to perform such modification to allow users to obtain travel information at places other than the plurality of kiosk described by Tagawa.

In response to applicants' argument to claims 53-56, applicants' arguments have been considered but are moot in view of the new ground(s) of rejection.

7. Claims 53-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tagawa in view of "The Never-Ending Quest: Search Engine Relevance" by Notes, Greg R.

Tagawa discloses in his invention a travel scheduling system that allows users to search for relevant travel information based on numerous categories. Tagawa does not disclose a search algorithm that querying a first database, if a match is established, then corresponding information from said first database is returned; if a match is not established, then querying a second database; if a match is established, then corresponding information from said second database is returned; if no match is established, then a spell check tool is invoked, and the process of querying the first and second database is repeated; and if all above querying attempts are exhausted, a simple text search is performed.

Notess discloses in his article that search engines crawl through databases querying for relevant search results, and presents them when found. (Abstract) Notes also disclose that search engine AltaVista offers spelling suggestions, and searches with the alternate spelling. (SPELLING AND BAD QUERIES)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Tagawa's invention to include the search strategy and spell checking disclosed by Notes of the search engines. One would be motivated to perform such modification to have systematic way of searching a plurality of databases and ensure that the search is accurate and not effected by misspellings.

Regarding claim 54, Tagawa discloses a local visitor attraction inventory, and an airline inventory. (col 10: lines 25-29)

Regarding claim 55, Tagawa discloses the data input by the user in response to such queries would then be used to narrow down the search process of the choices that match the user's needs. (col 2: lines 65-67)

Regarding claim 56, Tagawa discloses options of local visitor attractions, local lodging, local U-drive cars, local or intrastate tour packages, airline tickets, out-of-state tour packages, cruises and other shopping options. (col 10: lines 61-63)

Conclusion

8. Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

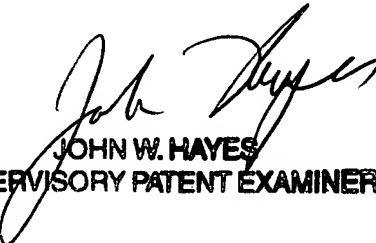
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rutao Wu whose telephone number is (571)272-3136. The examiner can normally be reached on Mon-Fri 8-5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571)272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

rw


JOHN W. HAYES
SUPERVISORY PATENT EXAMINER